

FARMINGTON POLICE DEPARTMENT

POLICY AND PROCEDURE



Policy Number:
242-17 **Effective Date:**
08/17/2016

Subject:
Interview Rooms

Approved by:

Steven D. Hebbe, Chief of Police



PURPOSE:

To establish guidelines when using interview rooms to ensure the protection of victims, arrestees, witnesses, and police personnel. The intent is for the professional use of designated interview rooms and the admissibility of statements made therein.

POLICY:

It is the policy of the Farmington Police Department to establish safe conditions for the various situations law enforcement officers may encounter when conducting interviews or interrogations in established rooms at law enforcement facilities.

PROCEDURE:

Definition:

Interview Room: Any designated room(s), whether located at the Police Department, Detective Division, San Juan County Detention Center, or any off-site police facility, that will be used by department employees to either conduct custodial interviews of arrestees or non-custodial interviews of witnesses, victims, potential suspects, and department employees/applicants. These rooms shall not be used as prisoner holding cells.

Designated Interview Rooms:

1. The main Departmental Interview Room is located within the Farmington Police Department building. An Equipment Room is near the interview room to monitor and record contacts;
2. Interview Rooms A and B are located within the Farmington Detective Division Facility. An Equipment Room is near the interview rooms to monitor and record contacts;
3. An Interview Room located within the San Juan County Detention Center;
4. Supervisory offices located within the Farmington Police Department and the Detective Division.

Weapon Control:

Except in interviews conducted at the San Juan County Detention Center, it will be the sole discretion of the officer/investigator whether or not he/she maintains his/her authorized Department weapon(s) on their person while in an interview room. Should the officer/investigator elect to remove their weapon(s), it shall be properly secured. The San Juan County Detention Center policy concerning weapons shall be followed for interview/interrogations conducted at that facility.

Security:

1. To provide proper security, all arrestees/prisoners, shall be searched prior to being brought into the interview room. All interview rooms are located within secure areas, thus making non-custodial parties such as victims, witnesses, potential suspects, and department employees/applicants subject to search. In all cases not involving arrestees, prisoners, and potential suspects, it will be the sole discretion of the officer/investigator whether or not a search is conducted of these individuals prior to an interview. The interview room will also be searched prior to, and after any interview/interrogation. Officers should be alert to the contents of the room prior to utilizing it;
2. Only one (1) arrestee/prisoner at a time will be in the interview room unless the combination of suspects will aid or advance any investigation;
3. Arrestees/prisoners may be handcuffed prior to and during interviews; however, handcuffs may be removed at the discretion of the officer/investigator conducting the interview;
4. While an officer is conducting an arrestee/suspect interview or interrogation, a second officer should be present either in the room or monitoring via closed circuit television or one-way glass. If a second officer is not immediately available, the officer/investigator shall take steps to ensure assistance can be summoned prior to conducting the interview/interrogation. Officers shall ensure one of the following methods is available:
 - a. A cell phone to contact dispatch;
 - b. Police Radio to contact dispatch or for the use of the panic button.
5. The interview room is not a holding cell. If an arrestee or prisoner (adult or juvenile) is left alone in an interview room, he/she must be monitored at all times. The utilization of audio/visual equipment must be on and working prior to the officer exiting the room. An officer must be in close proximity to the room and be readily available to provide assistance, should they be summoned.

General Guidelines:

1. Items in the interview rooms should be limited to a table and enough chairs to accommodate the individuals in the room. Any other items brought into the room shall be at the discretion of the officer/investigator conducting the interview. Any items removed from the interviewee should be taken prior to an interview and secured to prevent theft or loss;

2. The number of people present while conducting an interview/interrogation should be kept to a minimum. Typically, this should be no more than two officers/investigators and the person being interviewed. Special circumstances may require a parent, guardian, or legal representation.

Ultimately, it will be up to the primary officer/investigator on a case-by-case basis, to make the decision as to who may be present;

3. All individuals are afforded an opportunity to address their personal needs during an interview. It will be at the officer/investigator's discretion when a break will be conducted. All individuals being interviewed who wish to utilize the facilities (restrooms, water, etc.) shall be escorted by an officer/investigator at all times within any secured area of the Farmington Police Department and Detective Division;
4. Audio/visual equipment shall be utilized when available and in compliance with New Mexico State Statute 29-1-16 governing the electronic recording of all custodial interrogations involving felony crimes. The Equipment Rooms at the Farmington Police Department and Detective Division each have the audio/visual media necessary to document interviews/interrogations. Any technical or supply issues should be brought to the attention of a supervisor to ensure steps are taken to address them.

SITE SPECIFIC PROVISIONS:

Farmington Police Department:

1. The main Departmental Interview Room is equipped with a lockable storage compartment for any item(s) the officer/investigator may want secured prior to and during an interview. This does not limit an officer/investigator from using other methods available to secure property prior to or during an interview;
2. All other elements under the "Procedures" section of this policy shall apply to the Farmington Police Department interview room.

Supervisory Offices located within the Farmington Police Department and Detective Division:

1. Interviews of Department employees/applicants and witnesses can be conducted within the offices of Sergeants and Administrative Personnel during internal investigations. These interviews are generally non-criminal in nature but have the potential to reveal evidence of criminal acts by any involved party.

The potential for an adversarial situation is always present and for this reason, it will be the sole discretion of the supervisor/investigator whether or not a weapon will be worn by the officer being interviewed. The supervisor/investigator will also take steps to ensure complainants or witnesses related to internal investigations are not armed to ensure a safe environment in which to conduct the interview.

2. Comfort breaks are provided as needed and an escort will be at the discretion of the supervisor/investigator.
3. Internal Affairs interviews should be recorded and comply with the Department's Internal Affairs policy.

